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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,041	11/30/2000	Endale G. Haile-mariam	HMR-201	8700

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Endale G. Haile-mariam
2712 Henderson Avenue
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EXAMINER

BROWN, KHALED

ART UNIT	PAPER NUMBER
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2877

DATE MAILED: 04/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/726,041

Applicant(s)

HAILE-MARIAM, ENDALE G.

Examiner

Khaled Brown

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-6,14-18,24 and 30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-6,14-18,24 and 30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1-6-04 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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Claims 3-6 and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Gale et al (US 5692820).

Re clm 3: Gale et al discloses a method of creating a projection monitor for use in combination with a personal workspace, permitting an operator to view a computer image in a spatially confined area, the system comprising the steps of: arranging a personal workspace (Gale et al desk Col 2, line 28) having a first operator location and a spatially confined area (Inherently the room where the desk is located); positioning a projector (Gale et al Fig 4), having at least one video input (Gale et al Col 7 line 32) for accepting a display signal from a connected computer (Gale et al Col 7 line 40), capable of creating a projected computer image based on the display signal, within the personal workspace and in proximity to the first operator location, directing the projector to project a computer image away from the first operator location and towards a non-transmissive reflective screen (Gale et al Col 6 line 50-56) within the personal workspace (Inherently the room where the users desk is located) and reflecting the computer image from the non-transmissive reflective screen towards the first operator location (C Gale et al Col 2 lines 1-3).

Re clm 4: delimiting the spatially confined area with at least the reflective screen (Inherent since the screen reduces the total area of the room being used for viewing the projected image)

Re clm 5: operational access to the computer (the user can access the computer)

Re clm 6: placing the projector on a planer work surface (Gale et al users desk Col 2 lines 7-9)

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Re clms 24: Gale et al discloses a method of operating a computer system in a personal workspace, permitting an operator to view a computer image in a spatially confined area, in such a manner as to reduce eyestrain (inherent result of using a projector in place of a monitor) comprising: transmitting a display signal from a computer to a projector (Gale et al Col 7 lines 30-50) and having at least one video input (Gale et al Col 7 line 32) for accepting a display signal from a connected computer (Gale et al Col 7 line 40), capable of creating a projected computer image based on the display signal, with the projector positioned in proximity to an operator (must be in proximity so the user can see the image) in the personal workspace (Inherently the room where the desk is located) having a first operator location with at least operational access to the computer (Gale et al users desk Col 2 line 9), a spatially confined area (Inherently the room where the desk is located is spatially confined), with a minimum delimitation consisting of the non-transmissive screen (Gale et al Col 6 line 50-56), projecting a computer image away from the first operator location and towards a non-transmissive reflective screen (Gale et al Col 2 line 2 and Col 6 lines 53-56) and reflecting the computer image from the non-transmissive reflective screen towards the first operator location (Inherent since the user can see the reflected image from the projector) directing the path of the projected computer image from the projector to the non-transmissive reflective screen to the operator at the first operator location such that the path distance traveled, X, is greater than the distance, Y, of the path of the computer image from a non-projection computer monitor positioned on a desk to the operator at the same first operator location, within the same personal workspace (Inherently the

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path traveled by an image from the projector to the screen and back to the operator will be greater than a path traveled by an image from a computer monitor placed in the same location as the screen).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14-18 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gale et al (US 5692820) in view of Rohr (US 4708312).

Re clms 14: Gale et al discloses a method of creating a projection monitor for use in combination with a personal workspace, permitting an operator to view a computer image in a spatially confined area, comprising the steps of: arranging a personal workspace (Gale et al desk Col 2, line 28) having a first operator location and a spatially confined area (Inherently the room where the desk is located); mounting a projector

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(Gale et al Fig 4), having at least one video input (Gale et al Col 7 line 32) for accepting a display signal from a connected computer (Gale et al Col 7 line 40), capable of creating a projected computer image based on the display signal, within the personal workspace to project a computer image away from the first operator location and towards a reflective screen (Gale et al Col 2 line 2) within the personal workspace, located to receive the computer image from the projector and reflect it towards the first operator location towards the non-transmissive screen (Gale et al Col 6 line 50-56.

However, Gale et al does not disclose an adjustable arm connected to the planar work surface within the personal workspace and positioned in proximity to the first operator location. Rohr discloses an adjustable arm (Rohr Fig 1) connected to a planar work surface (Rohr Col 3, line 58) within a personal workspace and positioned in proximity (Rohr Col 1, lines 9-10) to the first operator location that allows a display apparatus/projection monitor to be positioned in all directions with relative ease (Rohr Col 1, line 43). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the support of Rohr connected to the desk of Gale et al to support the display apparatus/projection monitor of Gale et al because it would allow the display apparatus/projection monitor to be supported in all directions with relative ease as suggested by Rohr.

Re clm 15: delimiting the spatially confined area with at least the reflective screen (Inherent since the screen reduces the total area of the room being used for viewing the projected image)

Re clm 16: operational access to the computer (the user can access the computer)

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Re-claim 17,18: connecting the edge of a planer work surface (Rohr Fig 1 top edge)

Re-claims 30: Gale et al discloses a method of operating a computer system in a personal workspace, permitting an operator to view a computer image in a spatially confined area, in such a manner as to reduce eyestrain (inherent result of using a projector in place of a monitor) comprising: transmitting a display signal from a computer to a projector (Gale et al Col 7 lines 30-50) and having at least one video input (Gale et al Col 7 line 32) for accepting a display signal from a connected computer (Gale et al Col 7 line 40), capable of creating a projected computer image based on the display signal, with the projector positioned in proximity to an operator in the personal workspace (Gale et al desk Col 2, line 28) having a first operator location with at least operational access to the computer (Gale et al users desk Col 2 line 9), a spatially confined area (Inherently the room where the desk is located), with a minimum delimitation consisting of the non-transmissive screen (Gale et al Col 6 line 50-56), projecting a computer image away from the first operator location and towards a non-transmissive reflective screen (Gale et al Col 2 line 2 and Col 6 lines 53-56) and reflecting the computer image from the non-transmissive reflective screen towards the first operator location and, directing the path of the projected computer image from the projector to the non-transmissive reflective screen to the operator at the first operator location such that the path distance traveled, X, is greater than the distance, Y, of the path of the computer image from a non-projection computer monitor positioned on a desk to the operator at the same first operator location, within the same personal workspace (Inherently the path traveled by an image from the projector to the screen and back to the operator will be greater than

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a path traveled by an image from a computer monitor placed in the same location as the screen)

However, Gale et al does not disclose an adjustable arm connected to the planar work surface within the personal workspace and positioned in proximity to the first operator location. Rohr discloses an adjustable arm (Rohr Fig 1) connected to a planar work surface (Rohr Col 3, line 58) within a personal workspace and positioned in proximity (Col 1, lines 9-10) to the first operator location that allows a display apparatus/projection monitor to be positioned in all directions with relative ease (Rohr Col 1, line 43).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the support of Rohr connected to the desk of Gale et al to support the display apparatus/projection monitor of Gale et al because it would allow the display apparatus/projection monitor to be supported in all directions with relative ease as suggested by Rohr.

Claims 3-6,14-18,24 and 30 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Nasserbakht 5658063. Nasserbakht discloses a method of creating a projection monitor for use in combination with a personal workspace, permitting an operator to view a computer image in a spatially confined area, the system comprising the steps of: arranging a personal workspace having a first operator location and a spatially confined area; positioning a projector, having at least one video input for accepting a display signal from a connected computer, capable of creating a projected computer image based on the display signal, within the personal workspace and in proximity to the first operator

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location, directing the projector to project a computer image away from the first operator location and towards a non-transmissive reflective screen within the personal workspace and reflecting the computer image from the non-transmissive reflective screen towards the first operator location (Nasserbakht method performed by apparatus of Fig 4) and directing the path of the projected computer image from the projector to the non-transmissive reflective screen to the operator at the first operator location such that the path distance traveled, X, is greater than the distance, Y, of the path of the computer image from a non-projection computer monitor positioned on a desk to the operator at the same first operator location, within the same personal workspace (Inherently the path traveled by an image from the projector to the screen and back to the operator will be greater than a path traveled by an image from a computer monitor placed in the same location as the screen).

Response to Arguments

Applicant's arguments filed 1-6-04 have been fully considered but they are not persuasive. The applicant argues with respect to claim 3 that Gale et al does not teach reflecting the computer image from the non-transmissive screen towards the first operator location (Applicants response entered 1-6-04 p.6-7). However, Gale et al does disclose reflecting the computer image from the non-transmissive screen towards the first operator location because the projector of Gail projects images that Gail says are being viewed on a persons desk (Col 2 lines 9 and 29, Col 6 lines 50-56)

The applicant argues with respect to claims 24 and 30 that Gale et al does not teach an eyestrain reduction method (p.8 and p.10). In response to applicant's arguments, the recitation an eye strain reduction method has not been given patentable weight because the recitation occurs in the preamble. A preamble is generally not accorded any patentable weight where it merely recites the purpose of a process or the intended use of a structure, and where the body of the claim does not depend on the preamble for completeness but, instead, the process steps or structural limitations are able to stand alone. See *In re Hirao*, 535 F.2d 67, 190 USPQ 15 (CCPA 1976) and *Kropa v. Robie*, 187 F.2d 150, 152, 88 USPQ 478, 481 (CCPA 1951). Additionally the added limitations have been addressed in the above rejections.

In regard to claim 14 applicant states it would not have been obvious to invent a projection monitor (p.9) or operate a computer in a particular fasion (p.9). Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

The applicant argues with respect to claims 3,14,24 and 30 that Nasserbakht does not a desk or desktop computer (Applicants response entered 1-6-04 p.11, 13,14, 15). However, Nasserbakht does disclose a desk or desktop computer (Col 2 lines 8-12 and 29, Col 1 lines 37-45)

For any other arguments see above rejections and previous remarks.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khaled Brown whose telephone number is 703-306-5738. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font can be reached on 703-308-4881. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1782.

Khaled Brown
Assistant Patent Examiner
Art Unit 2877
March 22, 2004


Frank Font
Supervisory Patent Examiner
Art Unit 2877